

**Amendments to the drawings:**

Attached hereto is a replacement sheet containing amended Figure 1,  
which replaces the originally filed drawing sheet containing Figure 1.

**REMARKS**

The present amendment is submitted in response to the Office Action dated April 4, 2005, which set a three-month period for response. Filed herewith is a Request for a One-month Extension of Time, making this amendment due by August 4, 2005.

Claims 1-12 are pending in this application.

In the Office Action, the drawings were objected to under 37 CFR 1.83(b) as being incomplete. Claims 1-7 and 11-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-12 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,236,177 to Zick et al.

In the present amendment, claims 1 and 11 were amended to address the rejections under Section 112, second paragraph.

With regard to the objection to the drawings, attached hereto is amended Figure 1, which replaces the previously filed Figure 1.

In addition, claim 1 has been amended to more clearly define over the cited references by adding the feature "means for supplying current to a field winding of said electric motor during braking of the electric motor, at least over a certain time while the armature winding is short circuited".

The Applicants respectfully submit that amended claim 1 defines a patentably distinct set of features that is not disclosed or suggested by the Zick reference.

Zick does not disclose that the short circuit switch is connected for short circuiting an armature winding independently from a field winding of the motor. Furthermore, the control unit does not comprise a means for supplying current to a field winding of the electric motor during braking of the electric motor, at least over a certain time, while the armature winding is short circuited. Rather, Zick teaches disconnecting the whole motor 14, including its field windings, from the power source 50 before connecting the whole motor 14 in a closed loop (see Zick, column 10, line 34 through column 11, line 6). Therefore, the field windings are always turned off when the armature winding is short circuited.

As noted on page 6, lines 5-6 of the present application, this turning-off of the field winding reduces the braking action and lengthens the running-out time.

Because Zick fails to disclose the above features of amended claim 1, the rejection under Section 102 must be withdrawn. For a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in the prior art. ***Motorola, Inc. v. Interdigital Tech. Corp.***, 43 USPQ 2d 1481, 1490 (Fed. Cir. 1997).

Based on the foregoing, the Applicants respectfully submit that claims 1-12 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss

Zick does not disclose that the short circuit switch is connected for short circuiting an armature winding independently from a field winding of the motor. Furthermore, the control unit does not comprise a means for supplying current to a field winding of the electric motor during braking of the electric motor, at least over a certain time, while the armature winding is short circuited. Rather, Zick teaches disconnecting the whole motor 14, including its field windings, from the power source 50 before connecting the whole motor 14 in a closed loop (see Zick, column 10, line 64 through column 11, line 6). Therefore, the field windings are always turned off when the armature winding is short circuited.

As noted on page 6, lines 5-6 of the present application, this turning-off of the field winding reduces the braking action and lengthens the running-out time.

Because Zick fails to disclose the above features of amended claim 1, the rejection under Section 102 must be withdrawn. For a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in the prior art. *Motorola, Inc. v. Interdigital Tech. Corp.*, 43 USPQ 2d 1481, 1490 (Fed. Cir. 1997).

#### CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT

It is noted that the Examiner initialed a Form 1449 on March 26, 2005 relating to prior art submitted by the Applicants in an Information Disclosure Statement.


However, it was apparently overlooked to initial the 'Other Document' entitled "Tachenbuch Elektrotechnik", by Prof. Philipow, VOL. 5.

It is respectfully requested that the Examiner now initial the attached copy of the PTO Form 1449, so that the Duty of Disclosure will have been met.

Based on the foregoing, the Applicants respectfully submit that claims 1-12 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



Michael J. Striker  
Attorney for Applicant  
Reg. No.: 27233  
103 East Neck Road  
Huntington, New York 11743  
631-549-4700